## Executive Summary – Enforcement Matter – Case No. 49191 High Frontier Realty, Inc. RN101222941 Docket No. 2014-1241-PWS-E

## **Order Type:**

Findings Agreed Order

## **Findings Order Justification:**

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

### Media:

**PWS** 

### **Small Business:**

Yes

### Location(s) Where Violation(s) Occurred:

High Frontier School, located one mile south of the intersection of Highway 118 and High Frontier Road near Fort Davis, Jeff Davis County

## **Type of Operation:**

Public water supply

## **Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: January 2, 2015

Comments Received: No

## **Penalty Information**

**Total Penalty Assessed: \$845** 

Amount Deferred for Expedited Settlement: \$0 Amount Deferred for Financial Inability to Pay: \$0

**Total Paid to General Revenue:** \$845 **Total Due to General Revenue:** \$0

Payment Plan: N/A **SEP Conditional Offset:** \$0

Name of SEP: N/A

## **Compliance History Classifications:**

Person/CN - N/A Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

## Executive Summary – Enforcement Matter – Case No. 49191 High Frontier Realty, Inc. RN101222941 Docket No. 2014-1241-PWS-E

## **Investigation Information**

Complaint Date(s): N/A Complaint Information: N/A

Date(s) of Investigation: August 11, 2014 through August 22, 2014

Date(s) of NOE(s): August 22, 2014

## Violation Information

- 1. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director ("ED") each quarter by the tenth day of the month following the end of each quarter and failed to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a DLQOR [30 Tex. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f)].
- 2. Failed to provide the results of the triennial sampling to the ED for synthetic organic chemical contaminants (method 504, 515 and 531), minerals and Stage 1 Disinfection Byproducts for the January 1, 2011 to December 31, 2013 monitoring period and the results of the annual sampling for volatile organic chemical contaminants for the 2013 monitoring period [30 Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)].
- 3. Failed to collect annual nitrate samples and provide the results to the ED for the 2013 monitoring period [30 Tex. Admin. Code § 290.106(c)(6) and (e)].
- 4. Failed to provide public notification or submit a copy of the public notification to the ED regarding the failure to conduct routine coliform monitoring during the month of November 2013 [30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)].

## Corrective Actions/Technical Requirements

## **Corrective Action(s) Completed:**

N/A

## **Technical Requirements:**

The Order will require the Respondent to:

- a. Within 30 days:
- i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs;

## Executive Summary – Enforcement Matter – Case No. 49191 High Frontier Realty, Inc. RN101222941 Docket No. 2014-1241-PWS-E

ii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy submitted to the ED, including but not limited to providing public notification regarding the failure to submit DLQORs and the failure to conduct routine coliform monitoring to the ED;

iii. Ensure that all delinquent drinking water chemical analysis results are reported to the ED or demonstrate that a compliance schedule has been established; and

iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, results are released by the Facility's laboratories and reported to the ED within ten days of ED request or of their receipt by the Facility, whichever is later.

b. Within 45 days, submit written certification to demonstrate compliance with Ordering Provision a.

- c. Within 90 days, begin submitting DLQORs to the ED each quarter, by the tenth day of the month following the end of the quarter. This provision will be satisfied upon two consecutive quarters of compliant reporting.
- d. Within 285 days, submit written certification to demonstrate compliance with Ordering Provision c.

## Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

**Contact Information** 

TCEO Attorney: N/A

TCEO Enforcement Coordinator: Yuliya Dunaway, Enforcement Division,

Enforcement Team 2, MC R-13, (210) 403-4077; Candy Garrett, Enforcement Division,

MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Thomas J. Homrighaus, Assistant Executive Director, High Frontier

Realty, Inc., P.O. Box 370, Lipan, Texas 76462

William McKay, Executive Director, High Frontier Realty, Inc., P.O. Box 370, Lipan,

Texas 76462

Respondent's Attorney: N/A

#### Penalty Calculation Worksheet (PCW) Policy Revision 4 (April 2014) PCW Revision March 26, 2014 Assigned 25-Aug-2014 Screening 26-Aug-2014 PCW 26-Aug-2014 **EPA Due** 30-Jun-2014 RESPONDENT/FACILITY INFORMATION Respondent High Frontier Realty, Inc. Reg. Ent. Ref. No. RN101222941 Facility/Site Region 6-El Paso Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 49191 No. of Violations 4 Docket No. 2014-1241-PWS-E Order Type Findings Media Program(s) Public Water Supply Government/Non-Profit Yes Multi-Media Enf. Coordinator Yuliya Dunaway EC's Team Enforcement Team 2 Admin. Penalty \$ Limit Minimum Maximum \$1,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$650 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** 30.0% Enhancement Subtotals 2, 3, & 7 \$195 Notes Enhancement for six NOVs with the same/similar violations. 0.0% Enhancement **Culpability** No Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0 0.0% Enhancement\* Subtotal 6 \$0 Total EB Amounts \$217 Capped at the Total EB \$ Amount Estimated Cost of Compliance SUM OF SUBTOTALS 1-7 \$845 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% \$0 Reduces or enhances the Final Subtotal by the indicated percentage Notes Final Penalty Amount \$845

Final Assessed Penalty

Reduction Adjustment

0.0%

No deferral is recommended for Findings Orders.

\$845

\$845

\$0

STATUTORY LIMIT ADJUSTMENT

Notes

PAYABLE PENALTY

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g.

PCW

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Respondent High Frontier Realty, Inc.

Case ID No. 49191

Reg. Ent. Reference No. RN101222941 Media [Statute] Public Water Supply Enf. Coordinator Yuliya Dunaway

Component	ory Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	6	30%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		ase Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
eat Violator ( N//	***************************************	centage (Sub	total 3)
	ory Person Classification (Subtotal 7)		
N//	Adjustment Per	rentane (Sub	total 71
	ory Summary	contage (Sub	
Compliance History Notes	Enhancement for six NOVs with the same/similar violations.		
	Total Compliance History Adjustment Percentage (S History Adjustment	Subtotals 2, .	3, & 7)

Screening Date	26-Aug-2014 High Frontier Realty, Inc.	Docket No. 2014-1241-PWS-E	PCW
Case ID No.	• • • • • • • • • • • • • • • • • • • •		Policy Revision 4 (April 2014) PCW Revision March 26, 2014
Reg. Ent. Reference No. Media [Statute]			
Enf. Coordinator	Yuliya Dunaway		
Violation Number			
Rule Cite(s)	30 Tex. Admin. Code §§ 2	90.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) a	and (f)
Violation Description	Executive Director each que each quarter for the first failed to provide public no	tant Level Quarterly Operating Report ("DLQOR") uarter by the tenth day of the month following the t quarter of 2013 through the first quarter of 2014 otification and submit a copy of the public notification egarding the failure to submit DLQORs for the first second quarters of 2013.	end of and on to
The statement of the st		Base Po	enalty \$1,000
>> Environmental, Proper		h Matrix	
Release	Harm Major Moderate	Minor	
OR Actual Potential		Percent 0.0%	
		Fercent 0.070	
>>Programmatic Matrix Falsification	Major Moderate	Minor	
		Percent 5.0%	
Matrix Notes	100% of the ri	ule requirement was not met.	
		littlerie uniternation in the trade of the t	
		Adjustment	\$950
			\$50
Violation Events		·	
Number of \	/iolation Events 5	455 Number of violation days	5
	daily		
	weekly		
mark only one with an x	monthly quarterly	Violation Base Pe	enalty \$250
HILL ATT X	semiannual annual		-
	single event x		•
	Five single	events are recommended.	
	3443344444		**************************************
Good Faith Efforts to Com	ply 0.09  Before NOE/NO		uction\$0
	Extraordinary		
	Ordinary N/A x	(mark with x)	
**		ident does not meet the good faith criteria for this violation.	1
THE PROPERTY AND ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY AND ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY AND ADDRESS OF THE PROPERTY ADDRESS OF TH	E	Violation Sul	ototal \$250
Economic Benefit (EB) for	this violation	Statutory Limit Te	
Estimate	ed EB Amount	\$139 Violation Final Penalty	
	This vio	plation Final Assessed Penalty (adjusted for li	mits) \$325

#### **Economic Benefit Worksheet** Respondent High Frontier Realty, Inc. Case ID No. 49191 Reg. Ent. Reference No. RN101222941 Media Public Water Supply Years of **Percent Interest** Violation No. 1 Depreciation 5.0 15 Item Cost Date Required **Final Date** Interest Saved **Onetime Costs EB Amount** Item Description No commas or \$ Delayed Costs Equipment 0.00 \$0 \$0 \$0 Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 **Engineering/Construction** 0.00 \$0 \$0 Land 0.00 \$0 \$0 11-Aug-2014 11-Aug-2014 24-Mar-2015 24-Mar-2015 \$45 \$100 **Record Keeping System** 0.62 \$1 n/a \$1 Training/Sampling 0.62 \$3 \$3 n/a Remediation/Disposal 0.00 \$0 \$0 11/3 **Permit Costs** \$0 n/a \$0 11-Aug-2014 24-Mar-2015 Other (as needed) 0.62 n/a The delayed costs include the estimated amount to update the Facility's operational guidance and conduct employee training to ensure that all DLQORs are submitted to the TCEQ in a timely manner, calculated from the record review date to the estimated date of compliance. The other delayed costs include the Notes for DELAYED costs estimated amount to develop and implement procedures and conduct employee training to ensure that all necessary public notifications are provided and a copy submitted to the Executive Director in a timely manner, calculated from the date of the record review to the estimated date of compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) Avoided Costs Disposal 0.00 \$0 \$0 \$0 Personnel 0.00 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 Supplies/Equipment 0.00 \$0 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 \$0 ONE-TIME avoided costs [3] 10-Apr-2013 | 10-Apr-2014 1.92 \$121 \$11 \$110 11-Apr-2013 10-Oct-2013 Other (as needed) \$10 1.42 \$1 \$10 \$11 The avoided costs include the estimated amount to prepare and submit DLQORs (\$22 per DLQOR x five quarters), calculated from the date the report was due for the first quarter of 2013 to the date the report Notes for AVOIDED costs was due for the first quarter of 2014. The other avoided costs include the estimated amount to provide public notification regarding the failure to submit a DLQOR (\$5 per notification x two notifications), calculated for the period in which public notifications were required. Approx. Cost of Compliance \$365 TOTAL \$139

Respondent High Fronter Really, Inc. See ID No. 49191  Reg. Ent. Reference No. RIVI0122291  Reg. Ent. Reference No. RIVI0122291  Reg. Ent. Reference No. RIVI0122291  Inc. Person March 26, 2014  Media [Statute] Dublic Water Supply  Enf. Coordinator Yulya Dusmay  Violation Number  I all Tro. Admin. Code §\$ 290.106(e), 290.107(e) and 290.113(e)  Fallet to provide the results of the triennial sampling to the Executive Director For synthetic organic chemical ("SCC") contaminants mented 594, 515 and 531), milerals and Stage 1 Districtant Synrodicts ("DBP") for the January 1, 2011 to wolstile organic chemical ("VGC") contaminants mented 594, 515 and 531), milerals and Stage 1 Districtant Synrodicts ("DBP") for the January 1, 2011 to wolstile organic chemical ("VGC") contaminants mented 594, 515 and 531), milerals and Stage 1 Districtants ("VGC") contaminants mented 594, 515 and 531), milerals and Stage 1 Districtants ("VGC") contaminants for the 2013 monitoring period.  **Sand Person March 26, 2014  **Sand Person Marc	Screening Date		Docket No. 2014-1241-PWS-E	PCW
Reg. Ent. Reference No. RN101222941 Media (Statute) Public Water Supply Enf. Coordinator Vulya Dunaway Violation Number Rule Cite(s)  Falled to provide the results of the treminal sampling to the Executive Director for synthetic organic chemical ("VoC") contaminants interible 509, 515 and 531), minerals and Stage 1 Disinfectant Byproducts ("DBP") for the January 1, 2011 to December 31, 2013 monitoring period and the results of the nanusk ampling for volatile organic chemical ("VoC") contaminants from the 2013 monitoring period.  See Environmental, Property and Human Health Matrix Harm OR Release Major Moderate Minor Percent 0.0%  >-> Environmental, Property and Human Health Matrix Harm Notes  Release Major Moderate Minor Percent 5.0%  **Notes**  100% of the rule requirement was not met.  **Notes**  100% of the rule requirement was not met.  **Notes**  Number of Violation Events  **Notes**  Number of Violation Events  **Notes**  **Notes**  **Notes**  **Notes**  **Notes**  **Notes**  **Notes**  **Pour single events are recommended,  **Notes**  **Programmatic that Enforts to Comply**  **Notes**  **Pour single events are recommended,  **Notes**  **Programmatic that Enforts to Comply**  **Notes**  **Programmatic that Enforts to Comply**  **Notes**  **Notes**  **Programmatic that Enforts to Comply**  **Programmatic that Enforts that Enforts the Complete that Enforts the Complete that Enforts the Complete that Enforts that Enforts the Complete that Enforts the Complete that Enforts the Complete		- · · · · · · · · · · · · · · · · · · ·		Policy Revision 4 (April 2014)
Media   Statute   Public water Supply   Enf. Coordinator Viviga Durawy   Violation Number   Rule Cite(s)   30 Tex. Admin. Code §\$ 290.106(e), 290.107(e) and 290.113(e)   Failed to provide the results of the theminal sampling to the Executive Director for synthetic organic chemical ("SOC") contaminants (method 504, 515 and 531), minerals and Stage   Disinfectant Sproducts ("PoP") for the January 1, 2011 to December 31, 2013 monitoring period and the results of the annual sampling for volatile organic chemical ("VOC") contaminants for the 2013 monitoring period.    Sase Penalty   \$1,000	· 2 14 4 6 7 7 1 2 4 1 2 1 4 1 2 1 4 1 2 1 4 1 4 1 4 1			PCW REVISION MARCH 26, 2014
Violation Number   2   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.106(e), 290.107(e) and 290.107(e) and 290.107(e) and 290.113(e)   30   Tex. Admin. Code §§ 290.107(e) and 290.10				
Violation Description   Failed Country				
Foliation provide the results of the trientic sampling to the Executive Director for synthetic organic chemical ("SOC") containments (notion 504, 515 win 5, 155 wi				
Violation Description   Synthetic organic chemical ("SOC") contaminants (method 504, 515 and 531), minerals and Stage 1 Disinfectant Byproducts ("DeP) for the January 1, 2011 to December 31, 2013 monitoring period and the results of the annual sampling for violatile organic chemical ("VOC") contaminants for the 2013 monitoring period and the results of the annual sampling for violatile organic chemical ("VOC") contaminants for the 2013 monitoring period and the results of the annual sampling for violation organic chemical ("VOC") contaminants for the 2013 monitoring period and the results of the annual sampling for violation organic chemical ("VOC") contaminants for the 2013 monitoring period and the results of the annual sampling for violation organic chemical ("VOC") contaminants for the 2013 monitoring period and the results of the annual sampling for violation for the 2013 monitoring period and the results of the annual sampling for violation for the 2014 monitoring period and the results of the annual sampling for violation for the 2015 monitoring period and the results of the annual sampling for violation for the 2015 monitoring period and the results of the annual sampling for violation for the 2015 monitoring period and the results of the 2015 monitoring period and 2015 monitoring		30 Tex. Admin. (	Code §§ 290.106(e), 290.107(e) and 290.113(e)	
>> Environmental, Property and Human Health Matrix   Aarm   Release   Major   Moderate   Minor   Percent   0.0%	Violation Description	synthetic organic chem minerals and Stage 1 Dis December 31, 2013 mor	ical ("SOC") contaminants (method 504, 515 and 53 sinfectant Byproducts ("DBP") for the January 1, 20 nitoring period and the results of the annual samplinal ("VOC") contaminants for the 2013 monitoring per	31), 11 to g for riod.
Number of Violation Events   Number of Viol			Base Po	enalty \$1,000
Release Major Moderate Minor Potentia Potentia Percent 0.0%  >> Programmatic Matrix Falsification Major Moderate Minor Percent 5.0%  Matrix Notes 100% of the rule requirement was not met.    Adjustment	>> Environmental, Proper		h Matrix	
Percent   D.0%	Release		e Minor	
>> Programmatic Matrix Falsification Major Moderate Minor				
Falsification   Major   Moderate   Minor   Percent   5.0%	Potential		Percent 0.0%	
Matrix Notes 100% of the rule requirement was not met.    Adjustment	>>Programmatic Matrix			
Matrix Notes    Matrix Notes   100% of the rule requirement was not met.	Falsification			
Notes    Notes   100% of the full requirement was not met.		<u>   </u>	Percent 5.0%	
Notes    Notes   100% of the full requirement was not met.	Matrix			
Violation Events  Number of Violation Events  A 1095 Number of violation days  daily weekly monthly quarterly semanual annual single event X  Four single events are recommended.  Four single events are recommended.  Good Faith Efforts to Comply  Extraordinary  Ordinary  Ordinary  N/A  Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$200  \$200  Economic Benefit (EB) for this violation  Estimated EB Amount \$64 Violation Final Penalty Total \$250		100% of the i	rule requirement was not met.	
Violation Events  Number of Violation Events  A 1095 Number of violation days  daily weekly monthly quarterly semanual annual single event X  Four single events are recommended.  Four single events are recommended.  Good Faith Efforts to Comply  Extraordinary  Ordinary  Ordinary  N/A  Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$200  \$200  Economic Benefit (EB) for this violation  Estimated EB Amount \$64 Violation Final Penalty Total \$250				
Number of Violation Events    Number of Violation Events			Adjustment	\$950
Number of Violation Events 4 1095 Number of violation days    daily				\$50
Number of Violation Events 4 1095 Number of violation days    daily	Violation Events			
Mark only one with an x   Mark only semiannual annual single event   X   Mark only one server   X   Mark one s	Fiolation Lyents			
Weekly	Number of	Violation Events 4	1095 Number of violation days	S
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary  Ordinary  N/A		weekly monthly quarterly semiannual annual	Violation Base Pe	enalty \$200
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x (mark with x)  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$200  Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$64 Violation Final Penalty Total \$260				
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$200  Economic Benefit (EB) for this violation  Statutory Limit Test Estimated EB Amount \$64 Violation Final Penalty Total \$260		Four single	e events are recommended.	
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$200  Economic Benefit (EB) for this violation  Statutory Limit Test Estimated EB Amount \$64 Violation Final Penalty Total \$260	A 1 - 1 - 1			
Ordinary  N/A	Good Faith Efforts to Com	**************************************		uction \$0
N/A x (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$200  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$64 Violation Final Penalty Total \$260		Extraordinary		
Notes The Respondent does not meet the good faith criteria for this violation.    Violation Subtotal   \$200				
this violation.  Violation Subtotal \$200  Economic Benefit (EB) for this violation Statutory Limit. Test  Estimated EB Amount \$64 Violation Final Penalty Total \$260				
Violation Subtotal \$200  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$64 Violation Final Penalty Total \$260		Notes The Respo	Annananananan annananan 11 Martin 11 (12 12 12 12 12 12 12 12 12 12 12 12 12 1	
Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$64 Violation Final Penalty Total \$260				
Estimated EB Amount \$64 Violation Final Penalty Total \$260			Violation Sul	ototal \$200
Estimated EB Amount \$64 Violation Final Penalty Total \$260	Economic Renefit (FR) for	this violation	Statutory I jmit To	cł
This violation Final Assessed Penalty (adjusted for limits) \$260	Estimat	ed EB Amount	\$64] Violation Final Penalty	Total \$260
		This v	riolation Final Assessed Penalty (adjusted for li	mits) \$260

	1222						
Case ID No. g. Ent. Reference No.	RN101222941						
	Public Water S						Years of
Violation No.		чррі)				Percent Interest	Depreciation
Fiolation 140.	-					5.0	
		n	e:: e			3	15
		Date Required	rinai Date	TES	interest Saveo	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$705	31-Dec-2013	24-Mar-2015	1.23	\$3	\$58	\$61
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	<u>\$0</u>
Training/Sampling	\$100	11-Aug-2014	24-Mar-2015	0.62	\$3	n/a	<u>\$3</u>
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs							
Other (as needed)	release the method, \$1	results (\$75.67 f 06.39 for mineral	for SOC 504 me s, \$55.12 for VC	thod, \$ C, and	313.25 for SOC 5 I \$97.63 for Stage	n/a n/a ding lab fees so that 15 method, \$57.01 of 1 DBP), calculated to the estimated date	for SOC 531 from the last
	release the method, \$1 date of the firs The other process proc samples are o	results (\$75.67 f 06.39 for mineral at monitoring peri delayed costs inc edures, guidance collected, analyze	for SOC 504 me s, \$55.12 for VC od for which res lude the estimal e, training, and/od d and the result	0.00 count to thod, \$ OC, and ults we ted am or over s are re	\$0 o pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face	n/a ding lab fees so that 15 method, \$57.01 a 1 DBP), calculated b the estimated date t improvements to the at future drinking weithy's laboratories a	\$0  the lab will for SOC 531 from the last of compliance he Facility's ater chemical nd reported to
Other (as needed)  Notes for DELAYED costs	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	0.00 count to thod, \$ OC, and ults we ted am or over s are ri e of the	\$0 pay any outstant 313.25 for SOC 5 \$97.63 for Stage re not provided to ount to implement sight to ensure the eleased by the Face e record review to	n/a ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date timprovements to ti at future drinking w cility's laboratories a the estimated date	\$0 the lab will for SOC 531 from the last of compliance, he Facility's ater chemical nd reported to of compliance.
Other (as needed)  Notes for DELAYED costs  Avoided Costs	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	0.00 count to thod, \$ OC, and cults we ted am or over s are ri e of the	\$0 b pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except	n/a ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date timprovements to ti at future drinking w cility's laboratories a the estimated date for one-time avoid	\$0  the lab will for SOC 531 from the last of compliance, he Facility's ater chemical nd reported to of compliance.  Ided costs)
Other (as needed)  Notes for DELAYED costs	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	0.00 count to thod, \$ OC, and cults we ted am or over s are ri e of the	\$0 o pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to ng item (except to	ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date it improvements to the at future drinking wellity's laboratories a the estimated date for one-time avoid \$0	\$0  the lab will for SOC 531 from the last of compliance, he Facility's ater chemical nd reported to of compliance, led costs) \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	0.00 count to thod, \$ OC, and cults we ted am or over s are ri e of the	\$0 b pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except	n/a ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date timprovements to ti at future drinking w cility's laboratories a the estimated date for one-time avoid	\$0  the lab will for SOC 531 from the last of compliance, he Facility's ater chemical nd reported to of compliance.  Ided costs)
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	o.00 count to thod, \$ OC, and ults we ted am or over s are ri e of the o.00 0.00	\$0 b pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except 1 \$0 \$0	n/a  ding lab fees so that 15 method, \$57.01 1 DBP), calculated to the estimated date t improvements to the at future drinking weighty's laboratories a the estimated date  for one-time avoid \$0 \$0 \$0	\$0  the lab will for SOC 531 from the last of compliance, he Facility's ater chemical nd reported to of compliance.  led costs)  \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel pection/Reporting/Sampling	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	oount to thod, \$ OC, and outs we ted am or over s are rise of the entering 0.00 0.00 0.00 0.00	\$0 b pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except to \$0 \$0 \$0 \$0 \$0 \$0	n/a  ding lab fees so that 15 method, \$57.01 1 1 DBP), calculated to the estimated date t improvements to the at future drinking with the estimated date for one-time avoid \$0 \$0 \$0 \$0	\$0  I the lab will for SOC 531 from the last of compliance he Facility's ater chemical nd reported to of compliance.    SO
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] DNE-TIME avoided costs [3]	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	o.00 fount to thook, \$0C, and ults we sed am or over s are rive of the entering 0.00 0.00 0.00 0.00 0.00	\$0  o pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a  ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date it improvements to the at future drinking will the estimated date for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0  I the lab will for SOC 531 from the last of compliance he Facility's ater chemical nd reported to of compliance.  Ide Costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Dection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	oount to thod, \$ OC, and outs we ted am or over s are rise of the entering 0.00 0.00 0.00 0.00	\$0 b pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except to \$0 \$0 \$0 \$0 \$0 \$0	n/a ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date timprovements to the at future drinking weighty's laboratories a the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0  the lab will for SOC 531 from the last of compliance he Facility's ater chemical nd reported to of compliance.  s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	o.00 fount to thook, \$0C, and ults we sed am or over s are rive of the entering 0.00 0.00 0.00 0.00 0.00	\$0  o pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a  ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date it improvements to the at future drinking will the estimated date for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0  I the lab will for SOC 531 from the last of compliance, he Facility's ater chemical nd reported to of compliance.  Ide Costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel Dection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	release the method, \$1 date of the firs The other process proc samples are of the Executive	results (\$75.67 f 06.39 for mineral st monitoring peri delayed costs inc edures, guidance collected, analyze Director, calculat	for SOC 504 me s, \$55.12 for VC od for which resolude the estimate, training, and/od and the resulted from the dat	o.00 fount to thook, \$0C, and ults we sed am or over s are rive of the entering 0.00 0.00 0.00 0.00 0.00	\$0  o pay any outstant 313.25 for SOC 5 i \$97.63 for Stage ere not provided to ount to implement sight to ensure the eleased by the Face e record review to  ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a  ding lab fees so that 15 method, \$57.01 1 DBP), calculated the estimated date it improvements to the at future drinking will the estimated date for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0  I the lab will for SOC 531 from the last of compliance, he Facility's ater chemical nd reported to of compliance.  Ide Costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date		PCW
	Talgar Tronder Redaily 2110	icy Revision 4 (April 2014)
Case ID No.	45151	V Revision March 26, 2014
Reg. Ent. Reference No.		
Media [Statute]		
Enf. Coordinator Violation Number		
Rule Cite(s)		7
	30 Tex. Admin. Code § 290.106(c)(6) and (e)	_
	Failed to collect annual nitrate samples and provide the results to the Executive	
Violation Description	Director for the 2013 monitoring period.	
	Base Penalt	<b>:y</b> \$1,000
>> Environmental Proper	ty and Human Health Matrix	
>> civiloimentai, riopei	Harm	
Release	Major Moderate Minor	
OR Actual		
Potential	X Percent 15.0%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	Percent 0.0%	
Matrix Failure to colle	ct nitrate samples could expose customers of the Facility to undetected contaminant	rs .
Notes	which could exceed levels protective of human health.	
L'		_
	Adjustment \$85	0
		\$150
		\$130
Violation Events		
320000000000000000000000000000000000000		
Number of V	/iolation Events 1 365 Number of violation days	
	della	
	dailyweekly	
	monthly	
mark only one with an x	quarterly Violation Base Penalt	; <b>y</b> \$150
with an X	semiannual	
	annual x	
	single event	
		7
	One annual event is recommended.	
		1
	ply 0.0% Reductio	n \$0
Good Faith Efforts to Com	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	**
	Extraordinary	
	Ordinary	
	N/A X (mark with x)	
	The Respondent does not meet the good faith criteria for	
	Notes this violation.	
	Violation Subtota	al \$150
<b>Economic Benefit (EB) for</b>	this violation Statutory Limit Test	
Ectimat	ed EB Amount \$9 Violation Final Penalty Tota	al \$195
Estilliat		
	This violation Final Assessed Penalty (adjusted for limits	\$195

Violation No.	RN101222941 Public Water S					Percent Interest	Years of Depreciation
VIOIALIOII IVO.	3					5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0,00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	The tra	ining delayed cost	s are included i	n the e	conomic benefit w	orksheet for violatio	on no. 2.
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterir	ng item (except i	for one-time avoid	led costs)
				0.00	\$0	\$0	\$0
Disposal		11.11.11.11.150.00.00.00.00.00.00.00		0.00	\$0	\$0	\$0
		<u> </u>		0.00			90
Disposal Personnel pection/Reporting/Sampling				0.00	\$0	\$0	\$0
Disposal Personnel pection/Reporting/Sampling Supplies/Equipment				0.00	\$0	\$0	\$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]				0.00 0.00 0.00	\$0 \$0	\$0 \$0	\$0 \$0 \$0
Disposal Personnel ipection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	\$8	1-Jan-2013	31-Dec-2013	0.00 0.00 0.00 1.92	\$0 \$0 \$1	\$0 \$0 \$8	\$0 \$0 \$0 \$9
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]				0.00 0.00 0.00 1.92 0.00	\$0 \$0 \$1 \$0	\$0 \$0	\$0 \$0 \$0 \$9 \$9

Ro Ca Reg. Ent. Refo Media Enf. Co	espondent ase ID No. erence No. [Statute]		Docket No. 2	Po	PCW  Dicy Revision 4 (April 2014)  W Revision March 26, 2014
Violation	Rule Cite(s)  Description	Failed to provide public n Executive Director reg	Admin. Code § 290.122(c)(2)  notification or submit a copy of arding the failure to conduct rouring the month of November 2	the public notification to the public notificati	11. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
OR	<b>Release</b> Actual Potential	ty and Human Heal Harm Major Moderat	e Minor	Base Penal	\$1,000
>>Programmat  Matrix Notes	Falsification	Major Moderat x 100% of the	rule requirement was not met		
Violation Events	***************************************	/iolation Events 1		stment \$9  umber of violation days	<u>50]</u> \$50
	mark only one with an x	daily weekly monthly quarterly semiannual annual single event x		Violation Base Penal	<b>ty</b> \$50
Good Faith Effor	rts to Com			Reducti Offer	on \$0
		Extraordinary Ordinary N/A x	(mark with x) condent does not meet the good this violation.		
Economic Benef		ed EB Amount	\$5 Vid	Violation Subtoo tatutory Limit Test plation Final Penalty Tot	al \$65
		ihis	violation Final Assessed Pe	naity (agjusted for limit	s) \$65

Media Violation No.	RN101222941 Public Water S					Percent Interest	Years of Depreciation
Violation No.	4					5.0	Depreciation 1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs_							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)		III.		0.00	\$0	n/a	\$0
Notes for DELAYED costs	The	e delaved costs ar	e included in th		omic benefit works		
Avoided Costs Disposal				e econo	ng item (except ) \$0	sheet for violation no for one-time avoid \$0	o. 1. led costs) \$0
Avoided Costs Disposal Personnel				e econo enterii 0.00 0.00	ng item (except ) \$0 \$0	sheet for violation no for one-time avoid \$0 \$0	o. 1. led costs) \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling				e econo enterir 0.00 0.00 0.00	ng item (except ) \$0 \$0 \$0	sheet for violation no for one-time avoid \$0 \$0 \$0	0. 1. led costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment				e econo enterio 0.00 0.00 0.00 0.00	ng item (except   \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0	o. 1. led costs) \$0 \$0 \$0 \$0
Avoided Costs  Disposal  Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	ANNUAL	IZE [1] avoided	costs before (	e econo	sg Item (except ) \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	0. 1.
Avoided Costs  Disposal  Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		IZE [1] avoided		e econd 0.00 0.00 0.00 0.00 0.00 0.00 1.16	sg item (except ) \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$50 \$5	o. 1.  led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$50 \$50
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	ANNUAL	IZE [1] avoided	costs before (	e econo	sg Item (except ) \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	o. 1. \$0 \$0 \$0 \$0 \$0 \$0

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



## Compliance History Report

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

(1191044)

11/14/2013

NO

Date: 1: Self Report?

**PUBLISHED** Compliance History Report for CN604540534, RN101222941, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, c Owner/Operator:	r CN604540534, High	n Frontier Realty, Inc.	Classification: N	IOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN101222941, HIG	H FRONTIER SCHOOL	Classification: N	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A		Repeat Violator:	N/A		
CH Group:	14 - Other		_		***************************************	
Location:	1 MI S OF THE INTE	ERSECTION OF HWY 118	AND HIGH FRONTIER R	D NEAR FORT DAVIS	S, JEFF DAVI	(S COUNTY, T)
TCEQ Region:	REGION 06 - EL PAS	SO				
ID Number(s): PUBLIC WATER SYSTEM/SU	PPLY REGISTRATION	I 1220009				
Compliance History Perio	d: September 01,	2008 to August 31, 201	Rating Year:	2013 Ratin	ng Date:	09/01/2013
Date Compliance History	Report Prepared	: August 25, 2014				***************************************
Agency Decision Requiring					***************************************	
Component Period Select	ted: August 25,	2009 to August 25, 2014	4			
TCEQ Staff Member to Co	ntact for Addition	nal Information Reg	garding This Compli	iance History.		
Name: Yuliya Dunaway	<u> </u>		Phone: (	210) 403-4077		
Site and Owner/Opera  1) Has the site been in existence 2) Has there been a (known) ch 3) If YES for #2, who is the cur 4) If YES for #2, who was/were bowner(s)/operator(s)?  5) If YES, when did the change boccur?	ce and/or operation fo nange in ownership/op rrent owner/operator? e the prior	perator of the site during N/A N/A	'	YES NO		
Components (Multime	dia) for the Site	Are Listed in Sec	ctions A - J			
A. Final Orders, court ju N/A	dgments, and cor	nsent decrees:				
B. Criminal convictions:						
C. Chronic excessive em	issions events:					
Item 1 October 0		CCEDS Inv. Track. N 858214)	lo.):			

CN604540534

Classification:

Moderate

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated

entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 2Q2013 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the second quarter of 2013 within the required

Self Report? Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 1Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2013 within the required

timeline.

2 Date: 02/26/2014 NO

(1191044)

CN604540534

Moderate

Moderate

Self Report? Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the second

quarter of 2013.

Self Report?

Classification:

Classification:

Classification:

Classification:

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) 30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 1Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the first quarter of 2013.

3

Date:

03/21/2014

(1191044)

CN604540534

Moderate

Self Report? Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

NOV/2013 TCR Routine MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct routine coliform monitoring for the month of 11/2013.

05/20/2014 Date: Self Report?

(1191044)

CN604540534

Classification:

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 4Q2013 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the fourth quarter of 2013 within the required

timeline

Self Report?

NO

NO

Classification:

Classification:

Moderate

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 3Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the third quarter of 2013 within the required

timeline.

5

Date:

07/02/2014 Self Report?

(1191044)

CN604540534

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 1Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2014 within the required

timeline.

6

Date:

Citation:

Citation:

07/22/2014

(1191044)

CN604540534

Self Report? NO

30 TAC Chapter 290, SubChapter F 290.107(c)(1)

30 TAC Chapter 290, SubChapter F 290.107(e)

Description: SOC MR 3Y2013 - The system failed to monitor and/or report synthetic organic

contaminants levels to the TCEQ for the triennial monitoring period from 01/01/2011 to

12/31/2013 within the required timeline.

Self Report?

Classification:

30 TAC Chapter 290, SubChapter F 290.106(c)(4)

30 TAC Chapter 290, SubChapter F 290.106(e)

MIN MR 3Y2013 - The system failed to monitor and/or report mineral levels to the TCEQ Description:

for the triennial monitoring period from 01/01/2011 to 12/31/2013 within the required

timeline.

Self Report? NO Classification:

Classification:

Moderate

Moderate

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.106(c)(6)

Description:

30 TAC Chapter 290, SubChapter F 290.106(e)

NO3 MR YR2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2013 to 12/31/2013 within the required

timeline.

Self Report?

NO

Classification:

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.107(c)(2) 30 TAC Chapter 290, SubChapter F 290.107(e)

Description:

VOC MR YR2013- The system failed to monitor and/or report volatile organic

contaminants levels to the TCEQ for the annual monitoring period from 01/01/2013 to

12/31/2013 within the required timeline.

Self Report?

NO

Classification:

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.113(e) 30 TAC Chapter 290, SubChapter F 290.113(f)(1) 30 TAC Chapter 290, SubChapter F 290.113(f)(2)

Description:

DBP1 MR 3Y2013 - This system failed to monitor and/or report disinfectant byproduct levels in its distribution system to the TCEQ for the triennial monitoring period from

01/01/2011 to 12/31/2013 within the required timeline.

### F. Environmental audits:

N/A

### G. Type of environmental management systems (EMSs):

N/A

### H. Voluntary on-site compliance assessment dates:

### Participation in a voluntary pollution reduction program:

N/A

### Early compliance:

N/A

### Sites Outside of Texas:

N/A

### **Component Appendices**

### Appendix A

### All NOVs Issued During Component Period 8/25/2009 and 8/25/2014

11/14/2013 (1191044)CN604540534 1 Date: Self Report? NO Classification: Moderate O For Informational Classif 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3) DLQOR MR 2Q2013 - The system failed to monitor and/or report distribution Description: disinfectant residuals to the TCEQ for the second quarter of 2013 within the required timeline. I<u>nfor</u>mational P**CASSIFICATION** Or Self Report? Moderate 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290,110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3) DLQOR MR 1Q2013 - The system failed to monitor and/or report distribution Description: disinfectant residuals to the TCEQ for the first quarter of 2013 within the required timeline. 02/26/2014 (1191044)CN604540534 Date: \_\_\_\_Classification: Self Report? O For Informational Pclassif 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.122(f) DLQOR MR PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed Description: certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the second quarter of 2013. Self Report? Classification: Moderate O For Informational Pclassif 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) Citation: 30 TAC Chapter 290, SubChapter F 290.122(f) DLQOR MR PN 1Q2013 Posting and Reporting Violation - Failure to submit a signed Description: certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the first guarter of 2013. Date: 03/21/2014 (1191044)CN604540534 Self Report? Classification: Moderate 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) Citation: 30 TAC Chapter 290, SubChapter F 290.122(f) NOV/2013 TCR Routine MR PN Posting and Reporting Violation - Failure to submit a Description: signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct routine coliform monitoring for the month of 11/2013. Date: 05/20/2014 (1191044)CN604540534 O For Informational PClassification: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) Self Report? Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3) Description: DLQOR MR 4Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2013 within the required timeline For Informational PClassification: 30 TAC Chapter 200, SubChapter F 290.110(e)(4)(A) Self Report? NO Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3) Description: DLQOR MR 3Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the third quarter of 2013 within the required Date: 07/02/2014 (1191044)CN604540534

**Published** Compliance History Report for CN604540534, RN101222941, Rating Year 2013 which includes Compliance History (CH) components from August 25, 2009, through August 25, 2014.

Self Report? Citation:	NO For Informational PClassification: On Moderate 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
	30 TAC Chapter 290, SubChapter F 290.110(f)(2)
	30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description:	DLQOR MR 1Q2014 - The system failed to monitor and/or report distribution
	disinfectant residuals to the TCEQ for the first quarter of 2014 within the required
	timeline.
Date: 07/	/22/2014 (1191044) CN604540534
Self Report?	NO For Informational pClassification: Or Moderate
Citation:	NO For Informational PClassification: Or Moderate 30 TAC Chapter 290, SubChapter F 290.107(c)(1)
	30 TAC Chapter 290, SubChapter F 290.107(e)
Description:	SOC MR 3Y2013 - The system failed to monitor and/or report synthetic organic
	contaminants levels to the TCEQ for the triennial monitoring period from 01/01/2011 to 12/31/2013 within the required timeline.
Self Report?	
•	NO For Informational PClassification: Or Moderate 30 TAC Chapter 290, SubChapter F 290.106(c)(4)
Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(4) 30 TAC Chapter 290, SubChapter F 290.106(e)
Description:	MIN MR 3Y2013 - The system failed to monitor and/or report mineral levels to the TCEQ
	for the triennial monitoring period from 01/01/2011 to 12/31/2013 within the required
	timeline.
Self Report?	NO For Informational Pclassification: On Moderate 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(6)
	30 TAC Chapter 290, SubChapter F 290.106(e)
Description:	NO3 MR YR2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2013 to 12/31/2013 within the required
	timeline.
Self Report?	
Citation:	NO For Informational PClassification: On Moderate 30 TAC Chapter 290, SubChapter F 290.107(c)(2)
Citation	30 TAC Chapter 290, SubChapter F 290.107(e)
Description:	VOC MR YR2013- The system failed to monitor and/or report volatile organic
	contaminants levels to the TCEQ for the annual monitoring period from 01/01/2013 to
0.150	12/31/2013 within the required timeline.
Self Report?	NO For Informational Pclassification: Or Moderate 30 TAC Chapter 290, SubChapter F 290.113(e)
Citation:	30 TAC Chapter 290, SubChapter F 290.113(e)

### Appendix B

### All Investigations Conducted During Component Period August 25, 2009 and August 25, 2014

01/01/2011 to 12/31/2013 within the required timeline.

30 TAC Chapter 290, SubChapter F 290.113(f)(1) 30 TAC Chapter 290, SubChapter F 290.113(f)(2)

DBP1 MR 3Y2013 - This system failed to monitor and/or report disinfectant byproduct

levels in its distribution system to the TCEQ for the triennial monitoring period from

Item 1*	October 05, 2010**	For <sup>(858214)</sup> rmational	Purposes	Only
Item 2	August 18, 2014	For <sup>(1191044)</sup> mational	•	
Item 3	August 22, 2014	For (1191460) mational		

<sup>\*</sup> No violations documented during this investigation

Description:

Page 5

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2008 to 8/31/2013

<sup>\*\*</sup>Investigation applicable for the Compliance History Rating period between 09/01/2008 and 08/31/2013.

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
HIGH FRONTIER REALTY, INC.	§	
RN101222941	§	ENVIRONMENTAL QUALITY

### AGREED ORDER DOCKET NO. 2014-1241-PWS-E

At its	agenda, the Texas Commission on Environmental Quality
("the Commission" or "	ICEQ") considered this agreement of the parties, resolving an
enforcement action regard	ing High Frontier Realty, Inc. ("Respondent") under the authority of
	CODE ch. 341. The Executive Director of the TCEQ, through the
Enforcement Division, and	the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located one mile south of the intersection of Highway 118 and High Frontier Road near Fort Davis, Jeff Davis County, Texas (the "Facility") that has approximately 20 service connections and serves at least 25 people per day for at least 60 days per year.

- 2. During a record review conducted from August 11, 2014 through August 22, 2014, TCEQ staff documented that the Respondent did not submit Disinfectant Level Quarterly Operating Reports ("DLQOR") for the first quarter of 2013 through the first quarter of 2014 and did not provide public notification nor submit a copy of the public notification to the Executive Director regarding the failure to submit DLQORs for the first and second quarters of 2013.
- 3. During a record review conducted from August 11, 2014 through August 22, 2014, TCEQ staff documented that the Respondent did not provide the results of the triennial sampling to the Executive Director for synthetic organic chemical ("SOC") contaminants (method 504, 515 and 531), minerals and Stage 1 Disinfection Byproducts ("DBP") for the January 1, 2011 to December 31, 2013 monitoring period and the results of the annual sampling for volatile organic chemical ("VOC") contaminants for the 2013 monitoring period.
- 4. During a record review conducted from August 11, 2014 through August 22, 2014, TCEQ staff documented that the Respondent did not collect annual nitrate samples and did not provide the results to the Executive Director for the 2013 monitoring period.
- 5. During a record review conducted from August 11, 2014 through August 22, 2014, TCEQ staff documented that the Respondent did not provide public notification and did not submit a copy of the public notification to the Executive Director regarding the failure to conduct routine coliform monitoring during the month of November 2013.
- 6. The Respondent received notice of the violations on August 28, 2014.

### II. CONCLUSIONS OF LAW

- 1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 2, the Respondent failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of each quarter and failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit a DLQOR, in violation of 30 Tex. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f).
- 3. As evidenced by Findings of Fact No. 3, the Respondent failed to provide the results of the triennial sampling to the Executive Director for SOC contaminants (method 504, 515 and 531), minerals and Stage 1 DBP for the January 1, 2011 to December 31, 2013 monitoring period and the results of the annual sampling for VOC contaminants for the 2013 monitoring period, in violation of 30 Tex. ADMIN. CODE §§ 290.106(e), 290.107(e) and 290.113(e).

- 4. As evidenced by Findings of Fact No. 4, the Respondent failed to collect annual nitrate samples and provide the results to the Executive Director for the 2013 monitoring period, in violation of 30 TEX. ADMIN. CODE § 290.106(c)(6) and (e).
- 5. As evidenced by Findings of Fact No. 5, the Respondent failed to provide public notification or submit a copy of the public notification to the Executive Director regarding the failure to conduct routine coliform monitoring during the month of November 2013, in violation of 30 Tex. ADMIN. CODE § 290.122(c)(2)(A) and (f).
- 6. Pursuant to Tex. Health & Safety Code § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- 7. An administrative penalty in the amount of Eight Hundred Forty-Five Dollars (\$845) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Health & Safety Code § 341.049(b). The Respondent has paid the Eight Hundred Forty-Five Dollar (\$845) administrative penalty.

### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Eight Hundred Forty-Five Dollars (\$845) as set forth in Section II, Paragraph 7 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: High Frontier Realty, Inc., Docket No. 2014-1241-PWS-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:

- i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, as required by 30 Tex. Admin. Code § 290.110;
- ii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy submitted to the Executive Director, including but not limited to providing public notification regarding the failure to submit DLQORs and the failure to conduct routine coliform monitoring, in accordance with 30 Tex. Admin. Code § 290.122;
- iii. Ensure that all delinquent drinking water chemical analysis results are reported to the Executive Director or demonstrate that a compliance schedule has been established, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants), 290.107 (Organic Contaminants), and 290.113 (Stage 1 DBP); and
- iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, results are released by the Facility's laboratories and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Facility, whichever is later, in accordance with 30 Tex. Admin. Code §§ 290.106 (Inorganic Contaminants) and 290.107 (Organic Contaminants).
- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.d. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
- c. Within 90 days after the effective date of this Agreed Order, begin submitting DLQORs to the Executive Director each quarter, by the tenth day of the month following the end of the quarter, in accordance with 30 Tex. Admin. Code § 290.110. This provision will be satisfied upon two consecutive quarters of compliant reporting. DLQORs shall be submitted to:

DLQOR Coordinator Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

d. Within 285 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section Manager Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

- 6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 8. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142.

# SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
Rom Donie 7	3/25/18
For the Executive Director	Date
Frontier Realty, Inc. I am authorized to ag	nd the attached Agreed Order in the matter of High ree to the attached Agreed Order on behalf of High sciffed terms and conditions. I further acknowledge the penalty amount, is materially relying on such
by this Agreed Order, notice of an evidential	eed Order, High Frontier Realty, Inc. waives certain to, the right to formal notice of violations addressed try hearing, the right to an evidentiary hearing, and the Agreed Order in lieu of an evidentiary hearing, adjudication by the Commission of the violations set
and/or failure to timely pay the penalty amo  A negative impact on compliance his Greater scrutiny of any permit applic Referral of this case to the Attorn additional penalties, and/or attorney Increased penalties in any future eni Automatic referral to the Attorney	cations submitted; cy General's Office for contempt, injunctive relief, y fees, or to a collection agency;
and TCEQ seeking other relief as authori	zed by law.
M. 108/1/ 200	nce documents may result in criminal prosecution. $\frac{11/10/2014}{}$
Signature Signature	Date
Thomas J. Homeighaus	and Ex Durett
Name (Printed or typed) Authorized Representative of High Frontier Realty, Inc.	Title High Frontoniluc
Instructions: Send the original, signed Agreed (	Order with penalty payment to the Financial Administration at the address in Section III, Paragraph 1 of this Agreed Order